

vote by which the bill passed and lay that motion on the table.

The motion prevailed.

PENDING BUSINESS—SENATE BILL NO. 38.

The Chair laid before the Senate, on its second reading, Senate bill No. 38 (See caption above.)

Bill was read second time, and lost by the following vote:

Yeas—13.

Beaty.	Hanger.
Davidson of	Harper.
Galveston.	Hicks.
Decker.	Hill.
Faubion.	Patteson.
Faulk.	Paulus.
Hale.	Stafford.

Nays—13.

Brachfield.	McKamy.
Cain.	Mills.
Faust.	Morris.
Grinnan.	Perkins.
Harbison.	Savage.
Henderson.	Sebastian.
Martin.	

Absent.

Douglass.	Wilson.
Willacy.	

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

COMMITTEE REPORT.

By unanimous consent the following committee report was offered:

Committee Room,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate Joint Resolution No. 4, Providing for a convention to frame a Constitution for the State of Texas,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to Committee on Constitutional Amendments.

DOUGLASS, Acting Chairman.

ADJOURNMENT.

Senator Perkins moved to adjourn until tomorrow morning at 10 o'clock.

Senate Faust moved to adjourn until Tuesday morning at 10 o'clock.

Action being taken on the longest time

first, the motion prevailed, and the Senate, at 12:15 p. m., adjourned until Tuesday morning, February 3rd.

FOURTEENTH DAY.

Senate Chamber,

Austin, Texas, Tuesday, Feb. 3, 1903.

Senate met pursuant to adjournment. Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent.

Decker.	Willacy.
Harper.	

Absent—Excused.

Davidson of	
DeWitt.	

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Savage, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 26, A bill to be entitled "An Act to amend Chapter 17, Title XXI, Revised Statutes of Texas, by adding thereto Article 748a, and providing for the cancellation of permits to do business in Texas granted to non-resident corporations, and preventing issuance of permits to offending corporations."

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 71, A bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the first day of January, 1887, and which have failed, or about to fail, to construct their roads and branches, or any part thereof, within the time required by law,"

And find the same correctly engrossed.

PATTESON, Chairman.

Committee Room,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 34, A bill to be entitled "An Act to provide for the cancellation of judgments and all liens on real estate and the assignment thereof,"

And find the same correctly engrossed.

PATTESON, Chairman.

Committee Room,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 89, A bill to be entitled "An Act to transfer the counties of Bastrop, Bureson, Lee and Washington from the community school system to the district school system, and directing the commissioners courts of the said counties to subdivide them into convenient school districts,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

PETITIONS AND MEMORIALS.

Senator Davidson of Galveston offered a petition from the citizens of Matagorda county for increase of two weeks for terms of district court of Matagorda county on account of the increasing business of said court.

Referred to Committee on Judicial Districts.

Senator Sebastian offered a petition from citizens of Martin, Midland and Ector counties in relation to the sale and lease of school lands.

Referred to Committee on Public Lands and Land Office.

Senator Hicks offered the following petition, with the request that it be published in the Journal, and there being no objection it was so ordered:

San Antonio, Texas, Aug. 2, 1902.

To the Honorable Legislature of the State of Texas:

Your petitioners would respectfully request your honorable body to grant a pension or other adequate relief to Mrs. Sallie Barrera, of San Antonio, Bexar county, Texas. She is the granddaughter of Lieutenant Dickerson, who was killed at the Alamo, and the daughter of the "Babe of the Alamo." Mrs. Barrera is in destitute circumstances, has a blind child and an invalid husband, and though the State made an adequate appropriation for her mother, "The Babe of the Alamo," on account of the death of her mother during the infancy of Mrs. Barrera, she has not received anything from her mother's estate, and through no fault of her own she has been deprived of all interest in same. She is deserving and needy, and the appropriations made by the State to her mother were not received by her or her child.

Signed by 100 citizens of Bexar county.

BILLS AND RESOLUTIONS.

Senator McKamy offered the following resolution:

Whereas, Through the courtesy of the press a great many valuable papers are each day placed upon the desks of members of the Senate; and

Whereas, Many of said papers would be of great interest to the inmates of the Confederate Home; therefore, be it

Resolved, That the Sergeant-at-Arms, at the end of each day, be instructed to have the desks cleared of such papers as may be designated by each Senator, respectively, and that such papers be sent daily to the Confederate Home.

The resolution was read second time, and adopted.

By Senator Paulus:

Senate bill No. 117, A bill to be entitled "An Act to regulate and fix the fare upon all sleeping cars in this State."

Read first time, and referred to Committee on Internal Improvements.

By Senator Douglass:

Senate bill No. 118, A bill to be entitled "An Act to amend Article 969, Chapter 3, Title XVIII, of the Penal Code of the State of Texas, relating to marriage in cases of seduction."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Faubion:

Senate bill No. 119, A bill to be entitled "An Act to provide for the appointment of a State Dairy and Food Commission, and to define its powers and duties and fix its compensation, and to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of drugs and articles of food."

Read first time, and referred to Committee on State Affairs.

By Senator Faulk:

Senate bill No. 120, A bill to be entitled "An Act to provide for the establishment of courses of study, embracing instruction in manual or industrial training of the inmates of the Orphan Asylum, located at Corsicana, Texas, and to build a dormitory, music hall and a plant to be used for light and heating purposes, and to make appropriations therefor."

Read first time, and referred to Committee on Asylums.

By Senator Mills:

Senate bill No. 121, A bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroad to any person other than the employes of such railroad, and to fix a penalty for the violation of the provisions of this act."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Willacy:

Senate bill No. 122, A bill to be entitled "An Act to amend Article 3391 and Article 3393, and to repeal Article 3395, Title LXIX, of the Revised Civil Statutes of the State of Texas of 1895, relating to local option."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 123, A bill to be entitled "An Act to provide for the appointment and qualification of official stenographers in the civil district, criminal district and county courts of the State of Texas, and to provide for their compensation."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Paulus and Sebastian:

Senate bill No. 124, A bill to be entitled "An Act fixing the venue in suits upon written contracts."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Paulus:

Senate bill No. 125, A bill to be entitled "An Act to amend Article 3964 of the Revised Civil Statutes of 1895, as amended by the Twenty-fifth Legisla-

ture, and providing for the taking of the scholastic census biennially."

Read first time, and referred to Committee on Internal Improvements.

By Senator Wilson:

Senate bill No. 126, A bill to be entitled "An Act to amend Section 13, of Chapter 107, page 182, of the General Laws of the Twenty-sixth Legislature, approved May 12, 1899, which is entitled 'An Act to carry into effect the amendments to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors and their widows under certain conditions, and to make an appropriation therefor.'"

Read first time, and referred to Committee on Finance.

By Senators Paulus and Douglass:

Senate bill No. 127, A bill to be entitled "An Act to fix and regulate the salaries of the superintendents and assistant physicians of the insane asylums of the State of Texas, and to regulate the appointments of the assistant physicians."

Read first time, and referred to Committee on Asylums.

By Senator Hale:

Senate bill No. 128, A bill to be entitled "An Act to provide for a survey of the Brazos river and its principal tributaries; preparing maps, profiles, plans, plots, estimates, etc., from its mouth to Waco, Texas, and making an appropriation therefor."

Read first time, and referred to Committee on Internal Improvements.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 3, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 23, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Karnes county."

House bill No. 2, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Zapata county, and to declare an emergency."

Senate bill No. 3, A bill to be entitled "An Act to repeal an act to incorporate the town of Zavala, in Smith county, Texas, passed at the session of the Thirteenth Legislature, approved May 17, 1873."

Senate bill No. 29, A bill to be entitled "An Act to amend Article 4223, Title LXXXVIII, of the Revised Civil Stat-

utes of the State of Texas, relating to public printing."

House bill No. 16, A bill to be entitled "An Act to fix the time for holding court in the counties of the Twenty-second Judicial District, and the terms of court therein, and to repeal all laws in conflict therewith."

House bill No. 97. A bill to be entitled "An Act to transfer Red River county from the community school system to the district school system, and to authorize and empower said county to organize and conduct all its public free schools under the district school system as provided by law now in force."

House bill No. 118, A bill to be entitled "An Act to create a road system for Lamar county, authorizing the commissioners court to employ road superintendents and laborers upon the public roads, and giving said court the power to condemn land for opening and establishing public roads."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

EXCUSED.

On motion of Senator Wilson, Senator Willacy was excused from attendance upon the Senate for today, on account of important business.

On motion of Senator Harbison, Senator Harper was excused from attendance upon the Senate today, on account of important business.

On motion of Senator Douglass, Senator Decker was excused from attendance upon the Senate indefinitely, on account of important business.

On motion of Senator Paulus, Senator Lipscomb was excused from attendance upon the Senate on last Friday, on account of important business.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 3, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 6, A bill to be entitled "An Act to authorize corporations incorporated as local suburban railways under Title XCIV of the Revised Statutes of Texas, of which the Railroad Commission have heretofore or shall hereafter decide they have not control in reference to the issuance of stock and bonds, or either, to issue or increase their stock and bonds or either without complying with the provisions of Chap-

ter 50 of the Acts of the Legislature of 1893, being Chapter 14, Title XCIV, of the Revised Statutes of Texas."

BOB BARKER,

Chief Clerk, House of Representatives.

Morning call concluded.

SPECIAL ORDER—SENATE BILL NO. 16 ON SECOND READING.

The Chair laid before the Senate, special order for this hour, on its second reading,

Senate bill No. 16, A bill to be entitled "An Act to provide for the extension and enlargement of the present iron smelting furnace in the State penitentiary at Rusk, Texas, or to construct and erect a new furnace at said place; authorizing and directing the Penitentiary Board to purchase or otherwise acquire timber or timbered lands and iron ore or lands containing deposits of iron ore, sufficient to supply the charcoal and iron ore necessary to run and operate the iron smelting furnace or furnaces and pipe works situated in said penitentiary to their full capacity, as herein provided, and on full time, for not less than ten years from the date of this act; providing for conducting experiments and tests at the State iron smelting furnace in said penitentiary in the use of lignite or brown coal and fuel oil as fuel in the smelting of iron; prescribing by whom said test shall be made and if such test prove successful, directing the Penitentiary Board to contract for and provide such quantity of lignite and oil or either of same for the use of such smelting furnace and iron manufactories as may be necessary for their use and consumption thereafter; providing for the appointment of a general manager of the iron industry of the Texas penitentiary and prescribing his qualifications, powers, duties and compensation, and prescribing certain duties of the Superintendent and Financial Agent of Penitentiaries in relation to said iron industry and its general manager; and making appropriation therefor."

On motion of Senator Perkins, the bill was made a special order for Friday morning, February 13, at the conclusion of morning call.

BILLS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 8. "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from

calamitous overflows, by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and to provide a penalty for their misapplication."

Senate bill No. 43, "An Act to create the Sixtieth Judicial District of the State of Texas, in Jefferson county, additional to the Fifty-eighth Judicial District therein, to establish a court, provide for a judge and clerk of such new district, to regulate the venue of the courts of such respective districts, and the disposition of the jurisdiction, the boundaries and the terms thereof, and declaring an emergency."

House Concurrent Resolution No. 4, instructing United States Senators to favor a measure providing for the purchase of a permanent camp site in Texas as now under consideration by Congress.

SPECIAL ORDER—SENATE BILL NO. 67 ON SECOND READING.

The Chair laid before the Senate, special order for this hour, on its second reading,

Senate bill No. 67, A bill to be entitled "An Act to amend Article 4350, Title XCII, of the Revised Civil Statutes of Texas, relating to declaring quarantine in counties and cities, and maintaining and paying the expenses of same."

Senator Douglass moved that Senate bill No. 67 be recommitted and referred to the Committee on Public Health.

The motion carried, and the bill was referred to the Committee on Public Health.

SIMPLE RESOLUTION.

Senator Hicks offered the following resolution:

Whereas, The Hon. Perry J. Lewis, a prominent citizen of Texas and an honorable ex-member of this body, is in the city; therefore, be it

Resolved, That he be extended the freedom and courtesy of this chamber.

The resolution was read second time, and adopted.

HOUSE BILLS READ AND REFERRED.

The Chair had referred, after their captions had been read, the following House bills:

House bill No. 118, A bill to be entitled "An Act to create a road system for Lamar county, authorizing the commissioners court to employ road superintendents and laborers upon the public roads, and giving said court the power

to condemn land for opening and establishing public roads."

Referred to Committee on Public Roads and Bridges.

House bill No. 2, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Zapata county, and to declare an emergency."

Referred to Judiciary Committee No. 1.

House bill No. 97, A bill to be entitled "An Act to transfer Red River county from the community school system to the district school system, and to authorize and empower said county to organize and conduct all its public free schools under the district school system as provided by law now in force."

Referred to Committee on Education.

House bill No. 23, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Karnes county."

Referred to Judiciary Committee No. 1.

House bill No. 16, A bill to be entitled "An Act to fix the time for holding court in the counties of the Twenty-second Judicial District, and the terms of court therein, and to repeal all laws in conflict therewith."

Referred to Committee on Judicial Districts.

House bill No. 6, A bill to be entitled "An Act to authorize corporations incorporated as local suburban railways under Title XCIV of the Revised Statutes of Texas, of which the Railroad Commission have heretofore or shall hereafter decide they have not control in reference to the issuance of stock and bonds, or either, to issue or increase their stock and bonds, or either, without complying with the provisions of Chapter 50 of the Acts of the Legislature of 1893, being Chapter 14, Title XCIV, of the Revised Statutes of Texas."

Referred to Committee on Internal Improvements.

PRIVILEGED MOTION—SENATE BILL NO. 29 AMENDED.

Senator Savage called up Senate bill No. 29, for the purpose of concurring in the House amendment,

The Chair laid before the Senate.

Senate bill No. 29, A bill to be entitled "An Act to amend Article 4223, Title LXXXVII of the Revised Civil Statutes of the State of Texas, relating to public printing."

With the following House amendment:

"Amend the bill by changing the figure '2' after the word 'section' in line

15, page 10, to '3' and insert Section '2' between lines 13 and 15, page 10; said section to read as follows:

Section 2. That the State shall not be chargeable under the present contract with any excess of pages in any bill by reason of the changed methods of printing provided for by this act."

The Senate concurred in the House amendment.

PENDING BUSINESS (SENATE BILL NO. 32) SUSPENDED.

On motion of Senator Wilson, pending business,

Senate bill No. 32, A bill to be entitled "An Act to amend Article 4905, Title CI, Chapter 1, of the Revised Civil Statutes of the State of Texas,"

Was suspended, and the Senate took up out of its order Senate bill No. 81.

SENATE BILL NO. 81.

The Chair laid before the Senate, on its second reading.

Senate bill No. 81, A bill to be entitled "An Act to prescribe the fees to be paid to county clerks, sheriffs, county attorneys and jurors in judicial proceedings in cases of lunacy; to prescribe who shall pay the same, and to repeal all laws and parts of laws in conflict herewith."

Senator Wilson offered the following amendment:

"Amend by inserting the letter 'e' in the word treasury, in line 19."

The amendment was read second time, and adopted.

Bill as amended was read second time, and ordered engrossed.

On motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

(Senator McKamy in the chair.)

The bill was read third time, and passed by the following vote:

Yeas—27.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

Senator Wilson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion prevailed.

SENATE BILL NO. 87.

On motion of Senator Faubion, regular order of business (Senate bill No. 32) was suspended, and the Senate took up out of its order Senate bill No. 87.

The Chair laid before the Senate on its second reading.

Senate bill No. 87, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to purchase the railroad, as completed or partially completed and in course of construction, of the Granger, George town, Austin & San Antonio Railway Company between Granger, in William son county, and Austin, in Travis county, together with the properties, franchises and appurtenances pertaining thereto, and to own, complete and construct the unfinished parts thereof between Granger and Austin, and operate and maintain the same as a part of its line, with the right to extend the same and construct branches therefrom, by amendment of its charter under the general laws of the State of Texas, and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such purchase and sale."

Bill read second time, and ordered engrossed.

On motion of Senator Faubion, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

Senator Faubion then exhibited to the Senate proof of due publication of the notice of intention to apply to the Legislature for the passage of this act, such evidence having accompanied the introduction of the bill.

The bill was read third time, and passed by the following vote:

Yeas—27.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

Senator Faubion moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion prevailed.

SENATE BILL NO. 78.

On motion of Senator Sebastian, pending business (Senate bill No. 32) was

suspended, and the Senate took up out of its order Senate bill No. 78.

The Chair laid before the Senate on its second reading,

Senate bill No. 78, A bill to be entitled "An Act to amend Article 2982, Chapter 4, Title LV, of the Revised Statutes of the State of Texas (1895), pertaining to marriage and divorce."

With the following committee amendment:

"Strike out the following: 'Provided, however, that the party against whom the divorce is rendered shall only be divorced from bed and board.'"

The committee amendment was read and,

On motion of Senator Sebastian, was adopted.

Senator Sebastian offered the following amendment:

"Strike out the word 'the' at the end of line 15 and insert in lieu thereof the word 'either.'"

The amendment was read second time, and adopted.

Senator Faulk offered the following amendment:

"Amend by adding the following after the word 'marriage' in line 18:

"'Provided, the provisions of this law shall not apply in cases where the parties divorced marry each other.'"

The amendment was read and adopted.

Senator Perkins moved that the vote by which Senator Sebastian's amendment carried be reconsidered.

The motion was lost.

The bill as amended was ordered engrossed.

Senator Stafford moved to reconsider the vote by which the bill was ordered engrossed and lay that motion on the table.

The motion was lost by the following vote:

Yeas—7.

Davidson of	Harbison.
Galveston.	Lipscomb.
Hale.	Paulus.
Hanger.	Stafford.

Nays—19.

Brachfield.	Martin.
Cain.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Perkins.
Grinnan.	Savage.
Henderson.	Sebastian.
Hicks.	Wilson.
Hill.	

Absent.

Beaty.

Absent—Excused.

Davidson of Harper.
DeWitt. Willacy.
Decker.

The motion to table being lost, the question was then upon the motion to reconsider the vote by which the bill was ordered engrossed.

The motion to reconsider prevailed.

SIMPLE RESOLUTION.

By unanimous consent, Senator Douglass offered the following resolution:

Whereas, the Hon. Jo Abbott, a former member of the Texas Legislature and for many years a member of Congress from this State, is now in the city; therefore, be it

Resolved, That the courtesies of the Senate be extended to him during his stay in the city.

Resolution was read second time, and adopted.

SENATE BILL NO. 6 RECOMMITTED.

Senator Faulk moved that Senate bill No. 6 be recommitted and referred to Committee on Roads, Bridges and Ferries.

The motion prevailed.

SENATE BILL NO. 85.

The Chair laid before the Senate, as pending business,

Senate bill No. 32 (see caption above), and

On motion of Senator Harbison, pending business (Senate bill No. 32) was suspended, and the Senate took up, out of its order,

Senate bill No. 85.

The Chair laid before the Senate, on its second reading,

Senate bill No. 85, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, organized and existing under the laws of the State of Texas, to purchase or lease the railroad and properties of the Denison & Washita Valley Railway Company, organized and existing under the laws of the State of Texas, in Grayson county, Texas, together with the franchises and appurtenances pertaining hereto, and to lease or own and operate and maintain the same as a part of its line; and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such sale or lease; and also to authorize the Denison & Washita Valley Railway Company to sell or lease all or any part of its railroad and property in the In-

dian Territory to the Missouri, Kansas & Texas Railway Company, a corporation organized and existing under the laws of the State of Kansas, or the Texas & Oklahoma Railroad Company, a corporation organized and existing under the laws of the Territory of Oklahoma, or either of them."

Bill was read second time, and ordered engrossed.

Senator Harbison moved to suspend the constitutional rule requiring bills to be read on three several days, and place the bill on its third reading and final passage. It requiring four-fifths of all the Senators elected to suspend same, the motion was lost by the following vote:

Yeas—24.

Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Henderson.	Stafford.
Hicks.	Wilson.
Hill.	

Present—Not voting.

Brachfield. Grinnan.

Absent.

Beaty.

Absent—Excused.

Davidson of Harper.
DeWitt. Willacy.

Decker.

Senator Harbison moved to reconsider the vote by which the Senate refused to suspend the constitutional rule requiring bills to be read on three several days.

The motion prevailed.

On motion of Senator Harbison, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage.

Senator Harbison then exhibited to the Senate proof of due publication of the notice of intention to apply to the Legislature for the passage of this act, such evidence having accompanied the introduction of the bill.

After which the motion prevailed by the following vote:

Yeas—25.

Beaty.	Faubion.
Cain.	Faulk.
Davidson of	Faust.
Galveston.	Hale.
Douglass.	Hanger.

Harbison.	Morris.
Henderson.	Patteson.
Hicks.	Paulus.
Hill.	Perkins.
Lipscomb.	Savage.
Martin.	Sebastian.
McKamy.	Stafford.
Mills.	Wilson.

Present—Not voting.

Brachfield.	Grinnan.
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Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.

Decker.

The bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.
Hicks.	

Nays—1.

Grinnan.

Present—Not voting.

Brachfield.	Perkins.
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Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.

Decker.

Senator Harbison moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion prevailed.

COMMITTEE REPORT.

By unanimous consent, the following committee report was offered:

Committee Room,
Austin, Texas, February 3, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 43 being "An Act to of the State of Texas, in Jefferson county additional to the Fifty-eighth Judicial District therein, to establish a court, provide for a judge and clerk of such new district, to regulate the venue

of the courts of such respective districts, and the disposition of the business therein, and to define the jurisdiction, the boundaries and the terms thereof, and declaring an emergency."

And find the same correctly enrolled, and have this day, at 11:50 a. m., presented the to th Governor for his approval.

HALE, Chairman.

POINT OF ORDER.

Senator Sebastian moved to reconsider the vote by which his amendment to Senate bill No. 78 was carried.

Senator Hanger made the point of order that the Senate had already voted upon this motion, and the Chair sustained the point of order.

The question being upon engrossment, Senate bill No. 78 was ordered engrossed.

SENATE BILL NO. 61.

On motion of Senator Faubion, pending business (Senate bill No. 32) was suspended, and the Senate took up out of its order Senate bill No. 61.

The Chair (Lieutenant Governor Neal) laid before the Senate, on its second reading,

Senate bill No. 61, A bill to be entitled "An Act to amend Title IX, Chapter 2, Article 173, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 173a."

Bill was read second time, and ordered engrossed.

SENATE BILL NO. 70.

On motion of Senator Hill, pending business (Senate bill No. 32) was suspended, and the Senate took up out of its order Senate bill No. 70.

The Chair laid before the Senate, on its second reading

Senate bill No. 70, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Sutton county; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith."

Bill read second time, and ordered engrossed.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.	Davidson of
Brachfield.	Galveston.
Cain.	Douglass.

Faubion.	Lipscomb.
Faulk.	Martin.
Faust.	McKamy.
Grinnan.	Mills.
Hale.	Patteson.
Hanger.	Paulus.
Harbison.	Perkins.
Henderson.	Savage.
Hicks.	Sebastian.
Hill.	Stafford.

Absent.

Morris.	Wilson.
Absent—Excused.	
Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

Bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	Lienderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Douglass.	McKamy.
Faubion.	Mills.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Stafford.
Harbison.	

Absent.

Morris.	Wilson.
Sebastian.	

Absent—Excused.

Davidson of	Harper.
DeWitt.	Willacy.
Decker.	

Senator Hill moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 36.

On motion of Senator Paulus, pending business (Senate bill No. 32) was suspended, and the Senate took up out of its order,

Senate bill No. 36, A bill to be entitled 'An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioners, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas,'

With the following committee amendment:

"Provided, that the provisions of this act shall not apply to towns of one thousand inhabitants or less."

The committee amendment was adopted.

Senator Mills offered the following amendment:

"Amend on page 2, line 28 by striking out 'ten' and inserting 'three.'"

The amendment was read and adopted.

Senator Perkins offered the following amendment:

"Amend by striking out the words 'one thousand' in committee amendment and inserting 'two thousand' in lieu thereof."

The amendment was read and adopted.

The bill as amended was then ordered engrossed.

ADJOURNMENT.

On motion of Senator Mills, the Senate, at 12:30 p. m., adjourned until 10 o'clock a. m. tomorrow.

FIFTEENTH DAY.

Senate Chamber,
Austin, Tex., Wednesday, Feb. 4, 1903.

Senate met pursuant to adjournment. Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Harper.	

Absent.

Willacy.

Absent—Excused.

Decker.

Prayer by the Chaplain Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday.

On motion of Senator Hill, the same was dispensed with.